

JC03 Rec'd PCT/PTO 02 MAY 2005

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

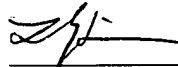
Inventor Application of: Thomas D. Egan  
Serial No: 10/511,385  
Filing Date: October 15, 2004  
Title: GASTRIC BYPASS PROSTHESIS  
Docket No: 66962-013 (EGAL-110)

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail under 37 CFR 1.8(a) in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date:

4/29/05

  
Jin Zhang

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

TRANSMITTAL LETTER

Applicant encloses herewith for filing in connection with the above-referenced patent application the following documents:

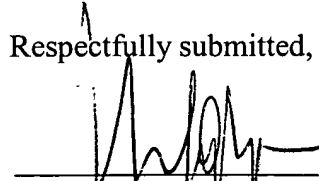
- 1) Information Disclosure Statement;
- 2) Form 1449; and
- 3) Acknowledgment Postcard.

No additional costs are believed to be due in connection with the filing of the enclosed Response. However, please charge any necessary fees to our Deposit Account No. 50-1133.

Respectfully submitted,

Date:

4/29/05

  
Mark G. Lappin, P.C., Reg. No. 26,618  
McDERMOTT WILL & EMERY LLP  
28 State Street  
Boston, MA 02109-1775  
Tel (617)535-4043  
Fax (617)535-3800



PATENT

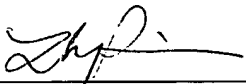
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Jin Zhang

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 C.F.R. §1.56, §1.97 and §1.98, Applicants hereby submit an information disclosure statement with information cited on the attached PTO-1449 form. According to the United States Patent and Trademark Office OG Notices: 05 August 2003, since the above-identified patent application was filed after June 30, 2003, copies of cited U.S. patents and U.S. patent application publications are waived and not submitted with this Statement.

This Statement is being filed before the receipt of a first Office Action.

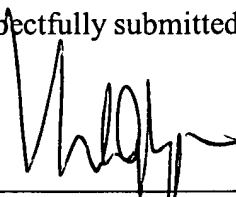
This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicant understands that the Examiner will make an independent evaluation of the cited publications.

No additional costs are believed to be due in connection with the filing of this disclosure.  
However, please charge any necessary fees to our Deposit Account No. 50-1133.

Date: \_\_\_\_\_

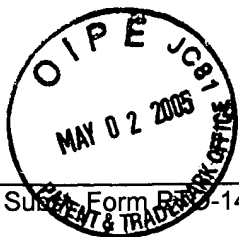
4/29/05

Respectfully submitted,



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Subject Form PTO-1449				Docket Number (Optional) 66962-013 (EGAL-110)		Application Number 10/511,385		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION  (Use several sheets if necessary)				Applicant  Thomas D. Egan				
				Filing Date 10/15/2004		Group Art Unit		
U. S. Patent Documents								
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
		2004/0249362	12/9/2004	Levine, et al.				
		2004/0220682	11/4/2004	Levine, et al.				
		2004/0107004	6/3/2004	Levine, et al.				
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES NO	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy with next communication to applicant.								